

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

MAIL PROCESSING NETWORK
RATIONALIZATION SERVICE CHANGES, 2012

Docket No. N2012-1

AMERICAN POSTAL WORKERS UNION, AFL-CIO, NOTICE OF FILING LIBRARY
REFERENCE AND APPLICATION FOR NON-PUBLIC STATUS
(May 29, 2012)

In accordance with Rule 31(b)(2), the APWU hereby provides notice today that it files the following Category 4 Library Reference:

APWU-LR-N2012-1/NP14: Materials Responsive to USPS/APWU-RT2-2(a)

In accordance with 39 C.F.R. § 3007.21 and Order No. 225,¹ APWU hereby applies for non-public treatment of the material contained in library reference APWU-LR-N2012-1/NP14, filed in this docket today. The information required by 39 C.F.R. § 3007.22 to justify the nonpublic treatment of this proprietary data is presented below:

- 1. A description of the materials claimed to be nonpublic in a manner that, without revealing the materials at issue, would allow a person to thoroughly evaluate the basis for the claim that they are nonpublic;**

“The Colography Group is a research and consulting firm that specializes in delivering actionable market intelligence to transportation companies, multinational shippers, legal and financial institutions, and governments in the U.S. and abroad.”² The materials designated as nonpublic consist of information that has been developed by the Colography Group, and is therefore proprietary to it, regarding the volumes and revenues of products offered by the Postal Service and Postal Service competitors. The

¹ PRC Order No. 225, Final Rules Establishing Appropriate Confidentiality Procedures, Docket No. RM2008-1 (June 19, 2009).

² <http://www.colography.com/>

Colography Group develops estimates of volumes and revenues by combining public information released by these shipping carriers with information gleaned from surveys that the Colography Group conducts with individuals at those firms and with other industry participants. As a consultant in the fields of delivery and logistics, part of the Colography Group's primary business is selling these estimates to interested parties. In short, then, the estimates are trade secrets. They therefore constitute information of a commercial nature which under good business practice would not be publicly disclosed.

The material contained in APWU-LR-N2012-1/NP14 consists of an Excel workbook containing six (6) worksheets that present analysis performed by the Colography Group, of the market size for the U.S. domestic parcel market (meaning under 70 pounds) destined to residential addresses, on a shipment, weight, and revenue basis, by carrier and length of haul. This analysis contains data proprietary to the Colography Group regarding the volumes and revenues of products offered by the Postal Service and Postal Service competitors.

2. Particular identification of the nature and extent of the harm alleged and the likelihood of such harm; and

The information contained in APWU-LR-N2012-1/NP14 was provided as part of a contract with The Colography Group for its commercial services.

The Colography Group, founded in 1983, has proven to be a leader in the field of fact-based expedited transportation consulting. Since its inception, The Colography Group has interviewed more than 500,000 businesses in a statistical representative manner that produces empirical information about the transportation market. The methods developed and used to amass shipping data over two decades represent all shippers proportionally and is arguably the industry's most robust set of data on the shipping market. Accordingly, the data collected is a primary differentiator of The Colography Group from its competitors and, moreover, is a source of revenue. Public disclosure of this data would be fatal to The Colography Group's business revenue and the employment of staff that collects the data.

3. Any other factors or reasons relevant to support the application.

None.

Scope of Access

APWU requests that all access to APWU-LR-N2012-1/NP14 be governed by the Protective Conditions contained in Appendix A to Part 3007 of Title 39 of the Code of Federal Regulations. Furthermore, given the extent of the commercial harm that may result if the materials contained in APWU-LR-N2012-1/NP14 were publicly disclosed, APWU requests that access to this material be limited to the United States Postal Service attorneys responsible for this case, and the Commission and Commission staff.

Third Party Identification

The Colography Group has a proprietary interest in the materials. APWU informed The Colography Group of the nature and scope of the filing of USPS-LR-N2012-1/NP28 and of the fact that The Colography Group may address its confidentiality concerns directly with the Commission. The following person is the appropriate contact at the Colography Group: Mark Schoeman, President, Colography Group, Inc., 1900 The Exchange, S.E., Suite 450, Atlanta, GA 30309. Mr. Schoeman's telephone number is (678) 385-2500. He may be reached via email at colography@colography.com.

Conclusion

For the foregoing reasons, APWU asks that the Commission grant its application for nonpublic treatment as detailed above.

Respectfully submitted,

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